IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY THIRD DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 24441 of 1997

Between:

Sri Kanaka Durga Itika Batteela Owners Association, Rep.by its President, T.Dora Reddy, (Regd.No. 521/86) Komaripalem,
Biccavolu Mandal, East Godavari District,

..... PETITIONER

AND

1 The Government of Andhra Pradesh., Rep.by its Secretary,
Industries and Commerce (M.I), Department, Secretariat,
Hyderabad.
2 The Director of Mines & Geology,
A.P., B.R.K.R.Buildings, Tank Bund Road,
Hyderabad.
3 The Assistant Director of Mines & Geology,
Rajahmundry, East Godavari District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus or any other appropriate Writ, declaring the amended Rules Namely, Rule 10-A to 10-N of A.P. Minor Mineral Concession Rules, 1966 brought through G.O. Ms. No. 50 , Industries & Commerce (M.I) department, Dated 17-3-97 as illegal, unconstitutional and opposed to the Sprit of the Mines & Minerals (Regulation and Development) Act, 1957 and consequently direct the respondents not to conduct auction by setting-aside the auction to Be held on 25-9-97 issued by the 3rd respondent herein.

Counsel for the Petitioner:MR.N.SIVA REDDY

Counsel for the Respondents: GP FOR INDUSTRIES & COMMERCE

The Court made the following :

ORDER:

Learned counsel for the petitioner represents that the cause in this writ petition does not survive and has become infructuous. Recording the same, the writ petition is dismissed as having become 'infructuous'. No costs.

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23.03.2005

Jsu/Tvk

To

1 The Secretary, Government of Andhra Pradesh., Industries and Commerce (M.I), Department, Secretariat,
Hyderabad.
2 The Director of Mines & Geology,
A.P., B.R.K.R.Buildings, Tank Bund Road,
Hyderabad.
3 The Assistant Director of Mines & Geology,
Rajahmundry, East Godavari District.

4 2 CCs to the G.P for Industry and Commerce, High Court Buildings, Hyderabad. (OUT)

5 2 CD copies.